

MICHIGAN SUPREME COURT

NOTICE OF PUBLIC ADMINISTRATIVE HEARING

Pursuant to Administrative Order No. 1997-11, the Michigan Supreme Court will hold a public administrative hearing on Wednesday, January 26, 2011, in the Supreme Court courtroom located on the sixth floor of the Michigan Hall of Justice, 925 W. Ottawa Street, Lansing, Michigan 48915. The hearing will begin promptly at 9:30 a.m. and adjourn no later than 11:30 a.m. Persons who wish to address the Court regarding matters on the agenda will be allotted three minutes each to present their views, after which the speakers may be questioned by the Justices. To reserve a place on the agenda, please notify the Office of the Clerk of the Court in writing at P.O. Box 30052, Lansing, Michigan 48909, or by e-mail at MSC_clerk@courts.mi.gov, no later than Monday, January 24, 2011.

Administrative matters on the agenda for this hearing are:

1. 2002-24 Proposed Amendment of Rule 7.3 of the Michigan Rules of Professional Conduct.
Published at 486 Mich 1219-1220 (Part 3, 2010).
Issue: *Whether to adopt the proposed amendment of MRPC 7.3(c) that would require a lawyer seeking professional employment from a prospective client to designate the writing as an advertisement by prominently displaying the words "Advertising Material" on the outside envelope (or brochure, pamphlet, or postcard) and at the beginning and end of every written, recorded, or electronic communication.*
2. 2008-12 Proposed Amendment of Rule 2.002 of the Michigan Court Rules.
Published at 488 Mich ____ (Part 1, 2010)
Issue: *Whether to adopt the proposed amendment of MCR 2.002, which would clarify that a court may deny a party's indigency status if the action is found to be frivolous or malicious.*
3. 2009-22 Proposed Amendments of Rules 7.212 and 7.215 of the Michigan Court Rules.

Published at 486 Mich 1220-1222 (Part 4, 2010).

Issue: *Whether to adopt the proposed amendments of MCR 7.212 and MCR 7.215 as submitted by the State Bar of Michigan Appellate Practice Section, which would eliminate the current requirement to provide a copy of an unpublished Court of Appeals decision if that decision was issued after July 1, 1996, and a case number is provided.*

4. 2010-16 Proposed Amendments of Rules 6.302 and 6.610 of the Michigan Court Rules.
Published at 486 Mich 1216-1219 (Part 3, 2010).
Issue: *Whether to adopt one of the two alternative proposals that was published for comment as a result of the United States Supreme Court's decision in Padilla v Kentucky, 559 US ____; 130 S Ct 1473; 176 L Ed 2d 284 (2010). Alternative A would require a judge to ask a noncitizen defendant and the defendant's lawyer whether they have discussed a possible risk of deportation as a consequence of a guilty plea. Alternative B would require a judge to provide general advice to a defendant that a guilty plea by a noncitizen may result in immigration consequences.*
5. 2010-18 Proposed Amendment of Rule 6.1 of the Michigan Rules of Professional Conduct.
Published at 487 Mich 1203-1211 (Part 1, 2010)
Issue: *Whether to adopt one of the two alternative proposals published for comment. Alternative A would retain the existing pro bono language, but would clarify that a lawyer would not be subject to disciplinary action or any other disciplinary process to enforce the lawyer's voluntary responsibility to provide pro bono services. Alternative B was submitted by the State Bar of Michigan's Representative Assembly and is based on the ABA's Model Rule of Professional Conduct 6.1, which would clarify that all lawyers have a voluntary responsibility to provide pro bono legal services to those of limited means by donating 30 hours or 3 cases a year, and/or make a financial donation of \$300 to \$500 per year. The bar proposal was amended for publication to include a statement that pro bono services are voluntary and not enforceable through disciplinary proceedings.*
6. 2010-21 Proposed Amendment of Rule 8.110 of the Michigan Court Rules.
Published at 486 Mich 1215-1216 (Part 2, 2010).
Issue: *Whether to adopt the proposed amendment of MCR 8.110 that would exclude cases that are stayed during*

interlocutory appeal from being included in the group of cases that a chief judge must report to the State Court Administrator that are delayed beyond the time guidelines.